

**26798. Vitamins.** (F.D.C. No. 44695. S. Nos. 6-717/8 R.)

**QUANTITY:** 9 ctns. containing a total of 31,200 variously colored tablets, each individually wrapped in cellophane envelopes; 10 mounting cards with boxes of tablets attached; 92 mounting cards with 31 envelopes attached, each envelope containing 1 tablet; 2,400 empty boxes; 1,700 sheets, each containing 3 box labels; and 52 cases, each containing 11 boxes; and 1 mounting card containing 31 envelopes each containing 1 tablet; at Boston, Mass., in possession of Brady Associates, Inc., Boston Pharmacal Co. Div.

**SHIPPED:** The tablets were shipped in bulk containers on 3-10-59, from Philadelphia, Pa.

**LABEL IN PART:** (Card) "Vitamins the candy-flavored multivitamin" and (box) "One Month's Supply of Vitamins the candy-flavored multivitamin \* \* \* 9 vitamins—9 minerals."

**ACCOMPANYING LABELING:** Leaflets entitled "Vitamin Instructions," placards reading in part "Your Druggist & Doctor Will Tell You," and folders entitled "Vitamin Prize Catalog."

**RESULTS OF INVESTIGATION:** The tablets in the boxes and envelopes were repacked from bulk containers and labeled by Brady Associates, Inc.

**LICENSED:** 6-29-60, Dist. Mass.

**CHARGE:** 402(b) (1)—while held for sale, the valuable constituents, vitamin B<sub>12</sub> and vitamin C, had been in part omitted or abstracted from the article; 403(a)—the label statements (box) "B<sub>12</sub> (from cobalamin conc.) 2 mcg. C Ascorbic Acid 30 mg." were false and misleading as applied to a product containing less than the declared amounts of such vitamins; 403(a)—the name "Vitamins" and the label vignette of confectionery were false and misleading since such name and vignette suggested and implied that the article was confectionery, whereas the article was not confectionery; 403(a)—the labeling of the article contained false and misleading suggestions that use of the article would develop good health and insure good health; 403(e) (2)—the article (bulk) failed to bear a label containing an accurate statement of the quantity of contents; 403(i) (2)—the article (bulk) was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient; and 403(j)—the article purported to be and was represented as a food for special dietary uses by reason of its vitamin and mineral content and its label failed to bear, as required by regulations, (bulk) a statement of the proportion of the minimum daily requirement for vitamins A, B<sub>1</sub>, B<sub>2</sub>, C, D, niacinamide, and iron or iodine supplied by the article when consumed in a specified quantity during the period of one day, and (repack) the statement "The need for calcium pantothenate, cobalt, molybdenum, manganese, and zinc in human nutrition has not been established" and a statement of the proportion of the minimum daily requirement for iron or iodine supplied by the article when consumed in a specified quantity during a period of one day.

**DISPOSITION:** 8-31-60. Default—destruction.

**26799. Algit Norwegian Kelp Meal.** (F.D.C. No. 42896. S. No. 42-671 P.)

**QUANTITY:** 660 50-lb. bags at Spokane, Wash.

**SHIPPED:** 7-9-58 and 9-12-58, from Kristiansund N, Norway, by Algea Produkter A.S.

**LABEL IN PART:** "Algit the Norwegian Kelp Meal Product of Norway Guaranteed Analysis Crude Protein, not less than 5% Crude Fat, not less than 2% Crude Fibre, not more than 8% Salt (NaCl), not more than 3% Phosphorus (P), not less than 0.2% Iodine (I), not less than 0.06% Calcium (Ca), not less than 1.5% Ingredients . . . Norwegian Kelp Meal Usage: 2% of grain ration for animal feeding Algea Produkter A.S. Kristiansund N. Norway."

**ACCOMPANYING LABELING:** Leaflets entitled "The Sunday Star Magazine Farming Without Fertilizer," "Life In The Country," "Algit News Vol. 1., Issue 2" and "Algit News"; reprints of letter to Mr. Joseph M. Ronan, and reprints of letter headed "State of Montana" to Mr. M. Ottesen.

**RESULTS OF INVESTIGATION:** The accompanying labeling was received by the dealer at Spokane, Wash., from Larry Ottesen, Seattle, Wash.

**LIBELED:** 3-23-59, E. Dist. Wash.

**CHARGE:** 403(a)—when shipped and while held for sale, the labeling accompanying the article contained false and misleading representations that the article when used as directed was effective in establishing and maintaining a high butterfat content of milk from herds during warmer weather; would ready cattle for market weeks ahead of schedule; contained significant amounts of all of the vitamins, minerals, and amino acids needed by men and other animals; would supply the nutrients for pale and tired blood; restored the chemical balance of the blood of men; increased the butterfat of the milk; controlled mineral deficiency ailments; improved the quality of the milk, particularly the vitamin A content, of dairy cattle; promoted utilization of feed by chickens; improved the production of lambs and of more and better wool, and produced exceptionally fine pelts of sheep; caused fish to grow larger; supplied significant amounts of plant hormones; was effective in raising better race horses; improved the fur of minks; caused meat from cattle and hogs to taste better and dress off higher; improved the shell texture of eggs of chickens; and supplied important blood constituents because the human blood and seawater are chemically about the same.

The libel charged also that the article was misbranded under the provisions of the law applicable to drugs and devices, as reported in notices of judgment on drugs and devices, No. 5937.

**DISPOSITION:** 3-27-59. Consent—claimed by Algit Kelp Meal Distributing, Inc., Spokane, Wash., and relabeled.

## MISCELLANEOUS FOOD

**26800. Butterscotch pudding mix.** (F.D.C. No. 44692. S. No. 36-484 R.)

**QUANTITY:** 15 cases, 6 5-lb. cans each, at Hammonton, N.J.

**SHIPPED:** 5-5-60, from Somerville, Mass., by Vintage Canning Corp.

**LABEL IN PART:** (Cans) "Butsetch Pud \* \* \* Mfr. Vintage Canning Corp., Boston, Mass."

**LIBELED:** 7-1-60, Dist. N.J.

**CHARGE:** 402(a) (3)—contained rodent excreta when shipped.

**DISPOSITION:** 8-23-60. Default—destruction.